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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): LEE, Hyun-Woo et al.

Examiner: CHANG, Edith M.

Serial No.: 09/935,553

Group Art Unit: 2637

Filed: August 22, 2001

Docket: 678-718 (P9880)

For: **TRANSMIT DIVERSITY APPARATUS AND METHOD USING TWO  
OR MORE ANTENNAS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: REFUND SECTION,  
ACCOUNTING DIVISION,  
OFFICE OF FINANCE

**REQUEST FOR REFUND**

**(Improper Charge of Deposit Account)**

**I. REFUND REQUEST**

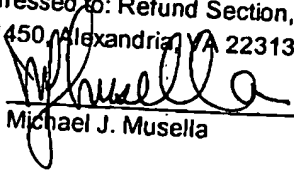
This is a request for a refund with respect to the charge to Deposit Account No. 04-1121 shown on the statement dated December 30, 2005 for the above-identified application.

A copy of the monthly statement in which the error referred to occurs accompanies this request.

**CERTIFICATION UNDER 37 C.F.R. §1.8 (a)**

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Refund Section, Accounting Division, Office of Finance, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 22, 2006

  
Michael J. Musella

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II. FEES CHARGED FOR WHICH REFUND REQUESTED

2006 MAY 24 PM 4: 55

US PATENT & TRADEMARK  
OFFICE

AMOUNT OF REFUND  
REQUESTED

<input type="checkbox"/> filing fee	
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. §1.16(e))	
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e))	
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	
<input checked="" type="checkbox"/> second month	\$450.00
<input type="checkbox"/> third month	
<input type="checkbox"/> fourth month	
<input type="checkbox"/> excess claims	
<input type="checkbox"/> issue fee	
<input type="checkbox"/> petition fee	
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	
<input type="checkbox"/> second maintenance fee	
<input type="checkbox"/> third maintenance fee	
<input type="checkbox"/> patent maintenance fee surcharge	
<input type="checkbox"/> other	

TOTAL REFUND REQUESTED \$420.00

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### III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

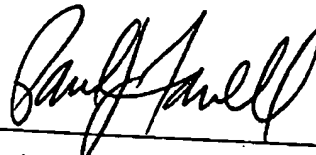
On August 8, 2005 the U.S. Patent and Trademark Office mailed an incorrect Notice of Non-Compliant Amendment. The undersigned contacted the Examiner to correct this paper. An Office Action was mailed on September 6, 2005 correcting the Notice of Non-Compliant Amendment. On December 6, 2005 a Response to the Office Action was filed, and received by the U.S. Patent and Trademark Office (the Office) on December 8, 2005 as evidenced by the return postcard attached hereto.

It is respectfully submitted that the fee for the two months Extension of Time of \$450.00 is not justified, as the Response was filed with the U.S. Patent and Trademark Office on time.

### IV. MANNER OF REFUND

Please make refund by crediting Deposit Account No. 04-1121.

Respectfully requested,



Paul J. Farrell

Reg. No. 33,494

DILWORTH & BARRESE  
333 Earle Ovington Boulevard  
Uniondale, NY 11553  
(516) 228-8484

United States Patent and Trademark Office  
- Sales Receipt -

~~12/16/2005 DSAVOY 00000002 041121 09935553~~

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Adjustment date: 06/22/2006 SFELEKE1  
12/16/2005 DSAVOY 00000002 041121 09935553  
01 FC:1252 - 450.00 CR